

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

JOSEPH TEMPESTA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 4:15-CV-7 RLW
	)	
MARRIOTT HOTEL SERVICES, INC.,	)	
	)	
Defendant.	)	

**MEMORANDUM AND ORDER**

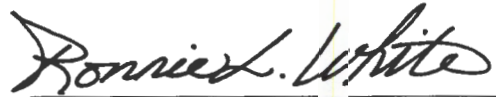
This matter is before the Court on Plaintiff's Motion to Amend Scheduling Order (ECF No. 24). Therein, Plaintiff, with the consent for Defendant, requests that the Court amend the Case Management Order because it "will likely be oppressive to the new parties," particularly The Brickman Group who was added as a Third Party Defendant.

The Court, however, notes that there is no indication in the record that The Brickman Group has been served. The Court believes that any Motion to Amend the Scheduling Order is premature, given that The Brickman Group has not been served and has not joined in this Motion that is supposedly on its behalf. The parties should continue to follow the current Case Management Order unless and until the Brickman Group is served and joins in a motion to amend the scheduling order.

Accordingly,

**IT IS HEREBY ORDERED** that Plaintiff's Motion to Amend Scheduling Order (ECF No. 24) is **DENIED**.

Dated this 5th day of October, 2015.

A handwritten signature in black ink, reading "Ronnie L. White". The signature is written in a cursive style with a horizontal line underneath it.

RONNIE L. WHITE  
UNITED STATES DISTRICT JUDGE